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C O N F I D E N T I A L SECTION 01 OF 03 GENEVA 03419

E.O. 11652: N/A
TAGS: UNHRC, SHUM
SUBJECT: 34TH HUMAN RIGHTS COMMISSION--DECISIONS ON
COUNTRY SITUATIONS UNDER 1503 PROCEDURES

REF: GENEVA 2649

1. HRC CONSIDERED IN PRIVATE SESSION FROM A.M. FEBRUARY
28 THROUGH P.M. MARCH 3 THE CONFIDENTIAL REPORT OF ITS
WORKING GROUP CONTAINING RECOMMENDATIONS FOR ACTION WITH
RESPECT TO THE HUMAN RIGHTS SITUATION IN TEN COUNTRIES.
FOLLOWING IS A SUMMARY OF THE DECISIONS ADOPTED:

A. BOLIVIA--AFTER HEARING THE REPRESENTATIVE OF THE
GOVERNMENT OF BOLIVIA THE HRC ADOPTED BY CONSENSUS A
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DECISION ENDORSING THE RECOMMENDATION OF ITS WORKING
GROUP, VIZ., APPRECIATION FOR THE CONTINUATION OF THE
DIALOGUE BETWEEN THE ILO AND THE GOVERNMENT OF BOLIVIA
AND DECIDING TO KEEP THE SITUATION OF HUMAN RIGHTS IN
BOLIVIA UNDER REVIEW IN THE LIGHT OF FURTHER INFORMATION
FROM THE BOLIVIAN GOVERNMENT, THE ILO AND OTHER SOURCES.

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B. EQUATORIAL GUINEA--INSTEAD OF THE RECOMMENDATION OF THE WORKING GROUP FOR A THOROUGH STUDY OF THE HUMAN RIGHTS SITUATION IN EQUATORIAL GUINEA (REFTEL), HRC ADOPTED A DECISION PROPOSED BY IVORY COAST, LESOTHO, NIGERIA, RWANDA AND SENEGAL. DECISION REQUESTS THE GOVERNMENT OF THE REPUBLIC OF EQUATORIAL GUINEA TO COOPERATE WITH THE HUMAN RIGHTS COMMISSION BY RESPONDING TO THE DIRECT CONTACTS OF A CONFIDENTIAL NATURE WHICH THE SECRETARY-GENERAL HAS SOUGHT TO ESTABLISH CONCERNING THE SITUATION WITH REGARD TO HUMAN RIGHTS IN EQUATORIAL GUINEA. IT IS FURTHER DECIDED THAT "IF THERE ARE NO NEW FACTORS INDICATING THAT SUCH CONTACTS HAVE BEEN ESTABLISHED, THE SITUATION IN REGARD TO HUMAN RIGHTS IN THE REPUBLIC OF EQUATORIAL GUINEA WILL BE RAISED AT THE 35TH SESSION OF THE COMMISSION, IN ACCORDANCE WITH PUBLIC PROCEDURE PROVIDED FOR IN COMMISSION RESOLUTION 8 (XXIII) AND ECOSOC RESOLUTION 1235 (XLII)." DECISION WAS ADOPTED AFTER THE TEXT OF A TELEGRAM FROM THE EQUATORIAL GUINEA UN MISSION IN NEW YORK WAS READ. THE TELEGRAM COMPLAINED OF SHORT NOTICE RECEIVED FROM THE UN INVITING EQUATORIAL GUINEA REPRESENTATIVE TO TESTIFY BEFORE HRC, DENIED ALL ALLEGATIONS OF HUMAN RIGHTS VIOLA-TIONS AND BLAMED ALLEGATIONS ON IMPERIALIST AND NEO-COLONIALIST CIRCLES. PRIOR TO VOTE ON DECISION, COMMISSION FIRST VOTED ON LIBYAN MOTION TO DELETE OPERATIVE PARAGRAPH WHICH CALLS FOR PUBLIC DEBATE AT 35TH CONFIDENTIAL

HRC SESSION IN EVENT OF FAILURE TO ESTABLISH CONTACTS. LIBYAN MOTION WAS REJECTED BY A VOTE OF 7-16(US)-8. DECISION AS A WHOLE WAS ADOPTED BY A VOTE OF 17(US)-5 (LIBYA, POLAND, SYRIA, YUGOSLAVIA AND CUBA), WITH 9 ABSTENTIONS (INDIA, IRAN, JORDAN, PAKISTAN, UGANDA, BRAZIL, BULGARIA, CYPRUS, EGYPT). USSR DID NOT PARTICI-PATE IN THE VOTE.

COMMENT: AS VOTING LINE-UP SHOWS, POSITIONS TAKEN ON AFRICAN-PROPOSED RESOLUTION CONCERNING EQUATORIAL GUINEA REVEALED CLEAR SPLIT BETWEEN WESTERN, AFRICAN AND MOST LA DELEGATIONS ON ONE SIDE, AND ARAB AND EE DELEGATIONS ON THE OTHER. AFRICAN CO-SPONSORS, LED BY IVORY COAST, LESOTHO AND SENEGAL, WERE PARTICULARLY FIRM IN OPPOSING LIBYAN, SYRIAN AND EGYPTIAN ATTEMPTS TO WEAKEN THEIR RESOLUTION THROUGH DELETING THIS PRINCIPAL OPERATIVE PROVISION.

C. MALAWI--NO REPRESENTATIVE FROM MALAWI APPEARED. THE HRC BY CONSENSUS ENDORSED THE WORKING GROUP'S RECOMMENDATION REITERATING ITS REQUEST TO THE GOVERNMENT OF MALAWI TO TRANSMIT ITS OBSERVATIONS AND DECIDING TO

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CONTINUE TO KEEP THE SITUATION UNDER REVIEW IN THE
LIGHT OF ANY FURTHER INFORMATION THAT IT MAY RECEIVE
FROM THE GOVERNMENT CONCERNED AND FROM ANY OTHER SOURCES.

D. REPUBLIC OF KOREA--AFTER HEARING A BRIEF STATEMENT BY
A REPRESENTATIVE OF THE GOVERNMENT OF THE REPUBLIC OF
KOREA, THE HRC BY CONSENSUS ENDORSED THE RECOMMENDATION
OF ITS WORKING GROUP TO CONTINUE TO KEEP THE SITUATION
OF HUMAN RIGHTS IN THE REPUBLIC OF KOREA UNDER REVIEW
IN THE LIGHT OF ANY FURTHER INFORMATION THAT IT MIGHT
RECEIVE FROM THAT GOVERNMENT AND FROM ANY OTHER SOURCES.

E. CHILE--THE HRC ENDORSED ITS WORKING GROUP RECOMMENDA-

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TION THAT THERE WAS NO NEED FOR SEPARATE ACTION UNDER
ECOSOC RESOLUTION 1503 SINCE THE HUMAN RIGHTS SITUATION
IN CHILE WAS UNDER ACTIVE CONSIDERATION BY THE HRC'S
AD HOC WORKING GROUP.

F. ETHIOPIA--AFTER HEARING A REPRESENTATIVE OF THE
GDVERNMENT OF ETHIOPIA, WHO ENTERED A BLANKET DENIAL TO
ALL ALLEGATIONS OF HUMAN RIGHTS VIOLATIONS IN THAT

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COUNTRY, THE HRC DECIDED BY CONSENSUS TO CONTINUE TO KEEP THE SITUATION OF HUMAN RIGHTS IN ETHIOPIA UNDER REVIEW IN THE LIGHT OF FURTHER OBSERVATIONS THAT IT MAY RECEIVE FROM THE GOVERNMENT OF ETHIOPIA AND FROM OTHER SOURCES. THE SECRETARY-GENERAL IS REQUESTED TO COMMUNICATE THE HRC'S DECISION TO THE GOVERNMENT OF ETHIOPIA WITH A VIEW TO SOLICITING FROM THAT GOVERNMENT
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FURTHER OBSERVATIONS ON THE SITUATION.

COMMENT: DISCUSION OF THE ETHIOPIAN SITUATION WAS MARKED BY EFFORTS OF CUBA, YUGOSLAVIA AND THE USSR TO EXPLAIN AND EXCUSE THE PRESENT SITUATION IN THAT COUNTRY AS RESULTING FROM THE REVOLUTION TAKING PLACE THERE. THESE THREE DELEGATIONS INITIALLY EXPRESSED THEIR PREFERENCE TO DROP FURTHER CONSIDERATION OF THE ETHIOPIAN SITUATION.

G. INDONESIA--AFTER HEARING A STATEMENT OF THE REPRESENT-ATIVE OF INDONESIA, THE HRC ADOPTED BY CONSENSUS THE RECOMMENDATION OF ITS WORKING GROUP, EXPRESSING APPRECIA-TION FOR CONTACTS BETWEEN THE GOVERNMENT OF INDONESIA AND THE ILO WITH REGARD TO CONDITIONS OF WORK IN REHABILITATION CENTERS IN INDONESIA AND HOPING THAT THESE CONTACTS WILL CONTINUE, AND INVITING THE GOVERNMENT OF INDONESIA TO PROVIDE ADDITIONAL INFORMATION REGARDING FURTHER IMPROVEMENTS IN THE HUMAN RIGHTS SITUATION IN THAT COUNTRY, INCLUDING ANY FURTHER INDICATIONS OF IMPROVEMENT IN THE AREAS ENUMERATED IN THE OBSERVATIONS ALREADY SUBMITTED BY THAT GOVERNMENT.

H. PARAGUAY--AFTER HEARING A REPRESENTATIVE OF THE GOVERNMENT OF PARAGUAY, THE HRC DECIDED BY CONSENSUS TO REQUEST THE UNITED NATIONS SECRETARY-GENERAL TO CONTACT THE GOVERNMENT OF PARAGUAY FOR THE PURPOSE OF EXAMINING POSSIBILITIES OF ASSISTANCE AND COOPERATION LIKELY TO IMPROVE THE SITUATION OF THE INDIGENOUS GROUPS IN THAT COUNTRY WHICH HAS BEEN REFERRED TO THE COMMISSION. THE COMMISSION FURTHER DECIDED TO KEEP THE SITUATION CONCERNING PARAGUAY UNDER REVIEW IN LIGHT OF THE INFORMATION IT MAY RECEIVE FROM THE SECRETARY-GENERAL
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AND OTHER INFORMATION IT MIGHT RECEIVE FROM THE GOVERNMENT OF PARAGUAY AND OTHER SOURCES.

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I. UGANDA--DECISION TO DESIGNATE "EMINENT AFRICAN PERSONALITY" TO ENTER INTO CONTACT WITH THE GOVERNMENT OF UGANDA AND TO UNDERTAKE A THOROUGH STUDY OF THE HUMAN RIGHTS SITUATION IN UGANDA REPORTED GENEVA 3335.

J. URUGUAY--REPLY TO ALLEGATIONS CONCERNING URUGUAY DELIVERED BY HRC REP GIAMBRUNO, WHO SPOKE AFTER CUBAN REPRESENTATIVE OPENED DEBATE BY STRONG ATTACK ON HUMAN RIGHTS RECORD OF GOVERNMENT OF URUGUAY. OTHER STATEMENTS CRITICAL OF URUGUAYAN HUMAN RIGHTS SITUATION MADE BY U.S., AUSTRIA, UK AND SWEDEN. (FURTHER DETAILS OF U.S. STATEMENT REPORTED SEPTEL.) BEFORE CONSIDERING WORKING GROUP'S RECOMMENDATION (REFTEL,PARA J) CUBAN REP PROPOSED THAT STRONGER ACTION WAS REQUIRED EITHER UNDER PARAGRAPH 6(A) (A THOROUGH STUDY) OR 6(B) (AN AD HOC INVESTIGATION)OF ECOSOC RESOLUTION 1503. CUBAN STATE-MENT SET OFF PROCEDURAL WRANGLE AS TO ORDER OF VOTING. CHAIRMAN M'BAYE INTERPRETED CUBAN STATEMENT AS CONSTITUTING A SEPARATE PROPOSAL AND NOT AS AN AMENDMENT TO THE WORKING GROUP PROPOSAL. HE THEREUPON PUT TO THE VOTE FIRST THE WORKING GROUP RECOMMENDATION WHICH WAS ADOPTED BY A VOTE OF 23-1(CUBA)-2(LIBYA AND SYRIA). U.S., UK DID NOT PARTICIPATE IN VOTE BECAUSE OF DISAGREEE MENT WITH CHAIRMAN'S REFUSAL TO REGARD CUBAN PROPOSAL AS AN AMENDMENT. USSR DID NOT PARTICIPATE ON USUAL GROUND OF OBJECTING TO VALIDITY OF 1503 PROCEDURES. URUGUAY DID NOT PARTICIPATE SINCE IT WAS THE OBJECT OF THE COMMISSION'S DECISION. THE COMMISSION'S DECISION: (A) REQUESTS THE GOVERNMENT OF URUGUAY TO PROVIDE SUPP-LEMENTARY INFORMATION WHICH THAT GOVERNMENT HAD INDICATED IT WOULD SUBMIT WITH REGARD TO HUMAN RIGHTS IN THAT COUNTRY, (B) TAKES NOTE WITH SATISFACTION OF THE

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STATEMENT OF THE URUGUAYAN REPRESENTATIVE IN WHICH HE AFFIRMS THE WILL OF HIS
GOVERNMENT TO REPLY TO ANY QUESTIONS WHICH THE HRC MAY PUT TO HIS GOVERNMENT REGARDING THE HUMAN RIGHTS SITUATION IN URUGUAY AND TO COLLABORATE FULLY IN THIS REGARD, (C) REQUESTS IN PARTICULAR THE FULLEST POSSIBLE EXPLANATION REGARDING THE PROSPECTS FOR AN EARLY RESTORATION OF POLITICAL RIGHTS IN URUGUAY, (D) EXPRESSES APPRECIATION AT THE ESTABLISHMENT OF CONTACTS BETWEEN THE ILO AND THE GOVERNMENT OF URUGUAY WITH REGARD TO THE LABOR SITUATION IN THAT COUNTRY AND EXPRESSES ITS HOPE THAT THESE CONTACTS WILL BE MAINTAINED, AND (E) DECIDES TO CONTINUE TO KEEP THE SITUATION OF HUMAN RIGHTS IN URUGUAY UNDER REVIEW IN THE LIGHT OF ANY FURTHER INFORMA-TION IT MIGHT RECEIVE FROM THAT GOVERNMENT AND FROM
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OTHER SOURCES.

2. AFTER THE COMMISSION'S ACTION ON URUGUAY IT ADOPTED BY CONSENSUS PROCEDURAL RESOLUTIONS CALLING FOR THE ESTABLISHMENT OF A WORKING GROUP TO SCREEN 1503 CASES FOR THE 35TH HRC AND PROVIDING FOR INVITATIONS TO REPRESENTATIVES OF STATES WHO MAY BE INVOLVED IN SITUATIONS BEING CONSIDERED AT THE 35TH HRC TO SEND REPRESENTATIVES TO ADDRESS THE COMMISSION.

3. COMMISSION THEN MOVED INTO PUBLIC DISCUSSION OF AGENDA ITEM CONCERNING VIOLATIONS OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (ITEM 12). AT OPENING OF DEBATE CHAIRMAN ANNOUNCED THAT HRC HAD TAKEN ACTION PURSUANT TO CONFIDENTIAL 1503 PROCEDURES ON SITUATIONS INVOLVING COUNTRIES LISTED ABOVE. SORENSON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, POLITICAL SITUATION, MEETING REPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 04 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978GENEVA03419
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: DG ALTERED
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780099-0539
Format: TEL
From: GENEVA
Handling Restrictions: n/a
Image Path:
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Legacy Key: link1978/newtext/t197803106/aaaadmje.tel
Line Count: 327
Litigation Code IDs:
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Office: ACTION IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 GENEVA 2649
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 28 apr 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
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Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3117093
Secure: OPEN
Status: NATIVE
Subject: 34TH HUMAN RIGHTS COMMISSION--DECISIONS ON COUNTRY SITUATIONS UNDER 1503 PROCEDURES
TAGS: SHUM, BL, UNHRC
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/bc4e7bb8-c288-dd11-92da-001cc4696bcc
Review Markings:
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